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7 UNITED STATES OF AMERICA

8 NORTHERN DISTRICT OF CALIFORNIA

9 SAN JOSE DIVISION

\*E-FILED - 2/23/06\*

10 UNITED STATES OF AMERICA, ) Case No. CR 05-00710 RMW  
11 Plaintiff, )  
12 v. ) PRELIMINARY ORDER  
13 DANIEL VAN HORN, ) OF FORFEITURE  
14 Defendant. )  
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16 Having considered the application for a preliminary order of forfeiture filed by the United  
17 States and the plea agreement filed on November 15, 2005, wherein the defendant's admitted to  
18 the forfeiture allegation, and good cause appearing,

19 IT IS HEREBY ORDERED that defendant Daniel Van Horn shall forfeit to the United  
20 States all of his right, title and interest in the following property pursuant to Title 17, United  
21 States Code, Sections 506(b) and 509(a):

22 A. WINBOOK LAPTOP, serial number L1140118, WITH D-LINK WIRELESS  
23 ADAPTER

24 B. SEAGATE U SERIES 5 AV 40GB, serial number 5ES00XBN

25 C. SEAGATE U SERIES 5, serial number 5DB1ZP8W

26 D. ONE CPU, NO serial number

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- 1 E. SPINDLE OF CDs (2)
- 2 F. "HEY DAN - WHATSNEW.TEXT MEMO"
- 3 G. DIGITAL VIDEO CREATOR DVC 150
- 4 H. PRINTOUT FROM CHEATPLANT.COM DATED 2/24/05 - 3PM
- 5 I. IPOD IN CASE, serial number 4U444ZYMP9
- 6 J. ONE HP PAVILLION CPU, serial number MXM4290FZ1
- 7 K. FOUR CDs
- 8 L. PDA, serial number 00U3VBN310CT, (ZIRE 71 PALM)

9 IT IS FURTHER ORDERED that the United States, through its appropriate agency, shall  
10 seize the forfeited property forthwith and publish at least once for three successive weeks in a  
11 newspaper of general circulation, notice of this Order, notice of the government's intent to  
12 dispose of the property in such manner as the Attorney General may direct and provide notice  
13 that any person, other than the defendant, having or claiming a legal interest in the property  
14 must file a petition with the Court and serve a copy on government counsel within thirty (30)  
15 days of the final publication of notice or of receipt of actual notice, whichever is earlier.

16 IT IS FURTHER ORDERED that, pursuant to Rule 32.2(b)(3) of the Federal Criminal  
17 Rules of Procedure, this Preliminary Order of Forfeiture shall become final as to the defendant at  
18 the time of sentencing and shall be made part of the sentence and included in the judgment.

19 IT IS SO ORDERED this 22 day of February 2006.

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21 /s/ Ronald M. Whyte  
22 RONALD M. WHYTE  
United States District Judge  
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